

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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RICHARD A. TRUESDELL,

Plaintiff,

v.

WILLIAM DONAT, et al.,

Defendants.

3:10-CV-00453-LRH-VPC

ORDER

Before the court is Plaintiff's Objection to Magistrate Judge's Recommendation to Grant Motion to Disqualify (#22), and Defendants' response (#23). Plaintiff seeks reconsideration of the magistrate judge's Order (#20) granting defendant Adam Watson's motion to disqualify Plaintiff's counsel, Jeffrey A. Dickerson, based on Mr. Dickerson's prior representation of Watson.

Contrary to Plaintiffs' mislabeling of the magistrate judge's order as a "recommendation," it is a final determination of a pretrial matter pursuant to the magistrate judge's authority under 28 U.S.C. § 636(b)(1)(A) and Local Rule IB 1-3. Accordingly, a district judge may reconsider the magistrate judge's order only if it is "clearly erroneous or contrary to law." 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a); LR IB 3-1(a).

Having considered the parties' briefing, the court finds that the magistrate judge's determinations are neither clearly erroneous nor contrary to law. Indeed, even if a de novo

1 standard of review applied, the court would adopt the magistrate judge's factual findings and legal  
2 conclusions as its own.

3 IT IS THEREFORE ORDERED that Plaintiff's Objection to Magistrate Judge's  
4 Recommendation to Grant Motion to Disqualify (#22) is DENIED.

5 IT IS SO ORDERED.

6 DATED this 5th day of November, 2010.

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LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE